

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Brandon James Peguese

Docket No. 5:12-CR-383-1FL

Petition for Action on Supervised Release

COMES NOW Maurice J. Foy, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Brandon James Peguese, who, upon an earlier plea of guilty to conspiracy to Possess With Intent to Distribute 500 Grams or More of Cocaine, 21U.S.C. §§ 846 and 841(a)(1), was sentenced by the Honorable G. Ross Anderson, Jr., U.S. District Judge for the District of South Carolina, on October 24, 2007, to the custody of the Bureau of Prisons for a term of 121 months. On October 9, 2009, the defendant's sentence was amended and his term of imprisonment was reduced to 60 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

Brandon James Peguese was released from custody on January 19, 2012, at which time the term of supervised release commenced in the Northern District of Georgia. On April 23, 2012, the defendant's supervision was transferred to the Eastern District of North Carolina. On October 4, 2012, the Eastern District of North Carolina accepted jurisdiction of this case.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On February 7, 2013, the defendant tested positive for marijuana and cocaine. He signed an admission form stating that he used K2 (synthetic marijuana), cocaine, and marijuana on February 7, 2013. This is the defendant's first time testing positive or admitting to any drug use. The probation office is requesting that he be allowed to participate in substance abuse treatment along with enrollment in the surprise urinalysis program. He will also be given an opportunity to participate in the HOPE Program (Drug/Reentry Court). The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

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2. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

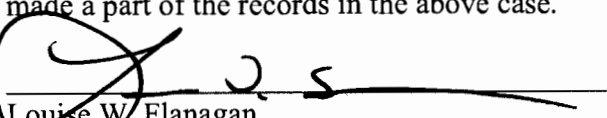
I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/Maurice J. Foy
Maurice J. Foy
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8660
Executed On: February 8, 2013

ORDER OF COURT

Considered and ordered this 12th day of Feb, 2013, and ordered filed and made a part of the records in the above case.


Louise W. Flanagan
U.S. District Judge